

# APPLICATION FOR VARIANCE

Board of Zoning Appeals  
Morrow County, Ohio

Application No. V13-003

Name of Applicant: Amy Young

Mailing Address: 6272 St. Rt. 19 Mt. Gilead OH 43338

Phone Number: Home 419-946-1229 Business 419-560-4196

1. Locational Description: Subdivision Name: \_\_\_\_\_

Section \_\_\_\_\_ Township Congress Range \_\_\_\_\_

Other Designation \_\_\_\_\_ Block \_\_\_\_\_ Lot No. \_\_\_\_\_

(If not in a platted subdivision attach a legal description)

2. Nature of Variance: Describe generally the nature of the variance We are  
wanting to build a pole barn that will sit slightly more forward  
the main building (house).

In addition, plans in triplicate and drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet)

- a. special conditions exist peculiar to the land or building in question;
- b. that a literal interpretation of the ordinance (resolution) would deprive the applicant of rights enjoyed by other property owners;
- c. that the special conditions do not result from previous actions of the applicant; and
- d. that the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

I certify the information contained in this application and its supplements is true and correct.

Date 7-7-13

Amy M. Young  
Applicant

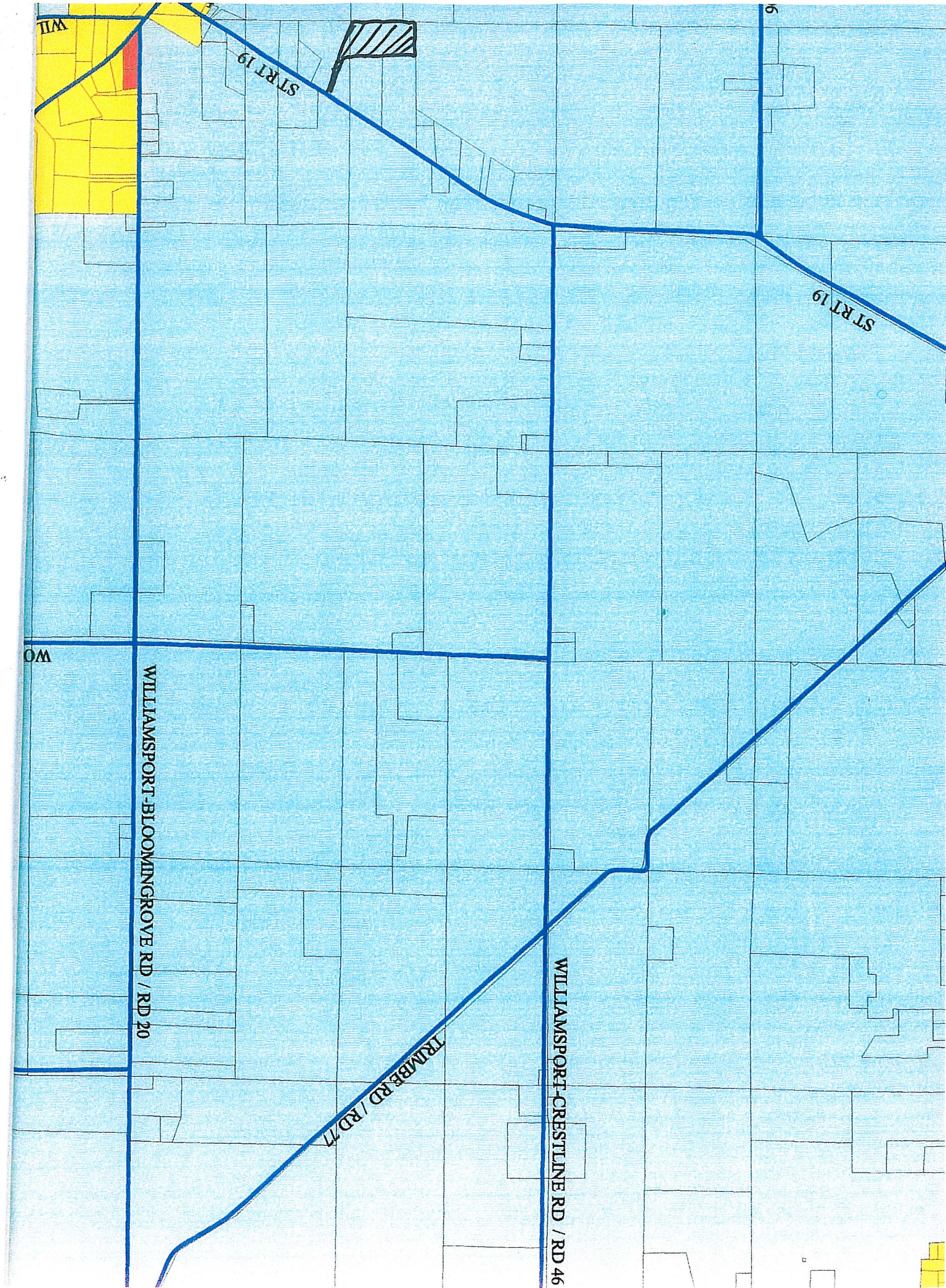
Please attach a list of all surrounding property owners and their addresses for each surrounding property owner.

George D + Sharon Vanderkooi II 6284 St. Rt. 19 Mt. Gilead (parents)	Tim Keuer 6103 St. Rt. 42 N Mt. Gilead * his adjacent property is a field
Matt + Nikki Vanderkooi 6300 St. Rt. 19 Mt. Gilead (brother)	Jeremy Eichler 6056 St. Rt. 42 N Mt. Gilead
Kevin Irwin 6344 St. Rt. 19 Mt. Gilead	

#### STANDARDS FOR GRANTING HARDSHIP VARIANCES

- A. The particular physical surroundings, shape, or topographical condition of the specific property would cause unusual and unnecessary hardship if the literal provisions of the zoning resolution were followed.
- B. The purpose of the variance is not primarily based upon a desire to increase property value or usage.
- C. The alleged hardship has not been created by the applicant for the variance after the adoption of the zoning resolution.
- D. The granting of a variance will not be materially detrimental to the public health, safety, convenience or general welfare or injurious to other property or improvements in the vicinity.
- E. The granting of a variance will not constitute a grant of a special privilege, or permit a use not allowed by the existing zoning resolution, or permit a use forbidden to other property in the same classification or district or zone.







**Zoning Permit Request for Pole Building at  
6272 State Route 19 Mount Gilead, Ohio  
David and Amy Young**

We recently had a zoning inspector come to assess our proposed building site for a pole building on our property. Our zoning permit was denied because our proposed building set back is about 8 feet closer to the right-of-way than the set back of the house. We do not believe that a variance is necessary for the issuance of a zoning permit to complete the project.

According to section 12.10 of the Morrow County Zoning Ordinance:

“Accessory buildings shall be constructed not closer to the road than the minimum setback line for the principal building nor shall any accessory building be constructed in front of the principal building.”

According to Webster’s dictionary the definition of “front” is:

“The area, location, or position directly before or ahead”

According to Random House dictionary the definition of “front” is:

“A place or position directly before anything”

It is our belief that the FAQ on the Morrow County Zoning website regarding the county’s set back requirements provides an overly strict and incorrect interpretation of the bylaws. The bylaws require that the building (1) meets the set back requirements (35 feet) of the zoning district which the proposed building site does, and (2) does not allow the accessory building to be constructed in front (directly ahead) of the main building. The proposed building site is directly beside the house not in front of it. It is our belief that the proposed building site meets the requirements of section 12.10 of the Morrow County Zoning Ordinance.

If, in your review of the above, you believe a variance is required:

We chose this proposed building site for a variety of factors due to particular physical surroundings, shape, and topographical conditions of our property.

1. As you can see from the Google earth picture labeled A, our house is located about 400 yards from the road and the building will be barely visible from the road.
2. The Google earth picture labeled B shows some challenges we have. First, there is a spring that comes from the property behind us which follows a natural fall through the yard to the East of the house to a wetlands area and a creek. That portion of the yard gets very wet and would require a lot of excavating to place the building there. Second, positioning the building behind the house would place it very close to a very mature line of trees. Whenever there is a storm, we get heavy branches and limbs in the yard. We are concerned with the damage that fallen limbs, branches, and/or tress could cause to the building. Third, the west of the house has now grown up into woods and besides, would not make the barn accessible. Last, we have had a 12’ x 20’ shed in place since 2001 that would have to be moved in order to place the building within the set back parameters interpretation, and a utility pole would have to be moved as well.

3. We have lived on this property since 1999 prior to the adoption of the zoning resolution, and have had all existing buildings in place prior to the resolution as well.
4. We do not believe that the granting of a variance will be materially detrimental to the public health, safety, convenience or general welfare or injurious to other property or improvements in the vicinity.
5. We believe that the building will be very complimentary of our property and will be completed in colors that match the house and existing garage. (See attached CAD drawings).

Thank you for your consideration.